

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREDERICK D. PINA,

Plaintiff,

- against -

UNITED STATES OF AMERICA,

Defendant.

20 Civ. 1371 (PAE) (BCM)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, and the Declaration of Kimberly A. Herbst, Defendant United States of America, through its attorney, Audrey Strauss, Acting United States Attorney for the Southern District of New York, will move this Court before the Honorable Paul A. Engelmayer, United States District Judge, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, for an order partially dismissing this action under Rule 12(b)(1) of the Federal Rules of Civil Procedure.

Dated: New York, New York
September 15, 2020

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney for the
Southern District of New York
Attorney for United States of America

By: /s/ Joshua E. Kahane

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cc: Frederick D. Pina (via Certified Mail)